

D.B.CIVIL HABEAS CORPUS PETITION NO.1262/07
Smt.AMRIT KANWAR VS. STATE OF RAJ. & ORS.

DATE OF ORDER : 6/8/2007

HON'BLE SHRI RAJESH BALIA, J.
HON'BLE SHRI MAHESH CHANDRA SHARMA, J.

(IN CHAMBERS)

Mr.R.S.Shekhawat, for the petitioner.
Mr.S.K.Vyas, Govt. Advocate.
Mr.Sachin Acharya, for the respondent no.5 & 6
Mr.Shyam Khatri for respondent no.4.

The Corpus has been brought in the court today by her sister Padma Kanwar. Having considered the entire facts and circumstances of the case including her state of mind and previous happenings and also the finding recorded by the Court on 28/5/2007, we deem it just and proper to direct that custody of the girl Suraj Kanwar may be continued with Smt. Padma Kanwar, who has expressed her willingness to keep Suraj Kanwar with her. However, Smt. Padma Kanwar has expressed her apprehension that since respondent no.4 has tried to have continuous contact with the corpus on phone, while she was at Chennai and even threatened her and her family members for any ill happening towards children of Padma Kanwar and towards her brothers, who are living at Jodhpur, she has requested for police protection on her return journey to Chennai and for her parents at Jodhpur.

We have also taken into consideration that on earlier occasion respondent Chandraveer Singh himself filed a Habeas Corpus Petition No.4020/2005 alleging himself to have married with girl named Munni D/o Kalyan Singh in which case also the corpus, who was present before the Court had expressed her desire to go with her parents and she was allowed to go with her parents.

Respondent Chandraveer Singh has again indulged himself in a case in which minor girl is involved, who is reported to be just 15 years of age.

In these circumstances, we consider it to be in best of interest of corpus to direct that corpus Suraj Kanwar may be allowed to stay with her sister Padma Kanwar at Chennai for the time being. Police security be provided for two months to the petitioner Amrit Kanwar and her sons at Jodhpur. In addition thereto, police escort may be sent on return journey of the corpus along with her sister Pandma Kanwar to Chennai.

In view of aforesaid, this petition stands disposed of.

However, learned counsel for the petitioner is required to submit the report about the welfare of the girl every two months for

next six months.

(MAHESH CHANDRA SHARMA), J.

(RAJESH BALIA),

J.

Pankaj Baweja